

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE LICENSING AND REGULATION OF THE BUSINESS OF RECOVERING, TOWING, REMOVING AND STORING OF MOTOR VEHICLES; PROVIDING FOR THE TOWING OF VEHICLES OFF CERTAIN PROPERTY AND MAXIMUM CHARGES; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, numerous persons and firms in Palm Beach County engage in the business of recovering, towing and storing of motor vehicles; and

WHEREAS, such towing services frequently must be provided without the prior consent of the vehicle owner, or under circumstances which prevent negotiating the charges, terms and conditions for the towing service, often resulting in disagreements and complaints between vehicle owners and providers of towing services; and

WHEREAS, the vehicles and equipment used to tow vehicles across the thoroughfares of Palm Beach County and the manner in which towing is conducted are of considerable significance to the health, safety and welfare of the owners of towed vehicles and of the residents and visitors in Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County finds it to be in the best interest of the County, its citizens and its visitors to license and regulate the business of providing such services within Palm Beach County, to assure that all who provide the service are fit and competent to do so and that such services are delivered in a safe and efficient manner.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. Definitions.

A. For the purposes of this ordinance, the following definitions shall apply:

- 1) "Administrative Fee" shall mean the fee that is charged for title and lien search, advertising costs, and notification of lienholder and owner of



1 the whereabouts and charges against a vehicle or  
2 vessel.

3 2) "Commission" shall mean the Board of County  
4 Commissioners of Palm Beach County, Florida.

5 3) "Department" shall mean the Palm Beach County  
6 agency designated to implement, enforce, and  
7 monitor this ordinance.

8 4) "Director" shall mean the Department Director, or  
9 his or her designee.

10 5) "Express Instruction" shall mean a clear, definite  
11 and explicit request: 1) made in writing by a  
12 police officer to recover, tow, remove, or store a  
13 specific and individual vehicle which is disabled  
14 or abandoned or parked without authorization, or  
15 whose operator is unable or unwilling to remove the  
16 vehicle; 2) made in writing by a property owner or  
17 duly authorized agent of the property owner to  
18 recover, tow, remove or store a specific and  
19 individual vehicle parked without permission of the  
20 property owner; or 3) made by telephone, in person,  
21 or in writing by a vehicle owner or the authorized  
22 driver to recover, tow, remove or store a specific  
23 and individual vehicle which is in the lawful  
24 control of the vehicle owner or authorized driver  
25 requesting the towing service. Every request made  
26 in writing or in person must indicate the date and  
27 time of the instruction and must be signed by the  
28 police officer, the property owner or agent, or the  
29 vehicle owner or authorized driver in the presence  
30 of the person providing the requested service.  
31 Every request made by telephone must also be  
32 documented with the date and time of the call.

33 6) "Extra Labor" shall mean the amount of manpower that  
34 is reasonably needed above and beyond the operator

1 of the towtruck to safely effect the removal of a  
2 vehicle or its load from the scene of an accident  
3 or other incident requiring a tow.

4 7) **"For Compensation"** shall mean for money, property,  
5 service or anything else of value.

6 8) **"Industry"** shall mean the business of recovering,  
7 towing or removing vehicles and providing such  
8 vehicle storage services as may be associated  
9 therewith.

10 9) **"License"** shall mean the certificate or document  
11 which allows a person to engage in the activity of  
12 recovering, towing, removing and storing of  
13 vehicles for compensation in Palm Beach County. As  
14 used in this ordinance, "license" shall not mean a  
15 municipal occupational license or a county  
16 occupational license. Any reference to "towing  
17 license" means "license".

18 10) **"Operate"** shall mean any person who provides for  
19 compensation the services of recovering, towing, or  
20 removing vehicles and any vehicle storage services  
21 associated therewith.

22 11) **"Operator"** shall mean any person who provides for  
23 compensation the services of recovering, towing, or  
24 removing vehicles and any vehicle storage services  
25 associated therewith. Includes without distinction  
26 the owning entity of a towing firm and the driver  
27 of a towtruck.

28 12) **"Permit"** shall mean the certificate or document  
29 which allows a person to drive or operate a towing  
30 vehicle.

31 13) **"Person"** shall mean any natural person, firm,  
32 partnership, association, corporation or other  
33 entity of any kind whatsoever.

34 14) **"Property Owner"** shall mean that person who  
35 exercises dominion and control over real property,



1 including but not limited to, the legal  
2 titleholder, lessee, designated representative of a  
3 condominium or homeowner's association or any  
4 person authorized to exercise or share dominion and  
5 control over real property; provided, however, that  
6 "property owner" shall not mean or include a person  
7 providing towing services for compensation within  
8 the purview of this ordinance.

9 15) **"Recover"** shall mean to take possession of a  
10 vehicle and its contents and to exercise control,  
11 supervision and responsibility over it.

12 16) **"Recovery"** shall mean the removal of a vehicle from  
13 a canal or other body of water, a wooded area not  
14 readily accessible to a roadway (i.e., within a  
15 standard cable length) or when a vehicle is buried.

16 17) **"Registration"** shall mean an identifying decal  
17 issued by the Director and appropriate for display  
18 on a towtruck used by a person licensed under this  
19 ordinance.

20 18) **"Regulation"** shall mean a rule set forth in this  
21 ordinance, the violation of which is sufficient  
22 grounds for fines; suspension or revocation of a  
23 towing license; civil damages, court costs and  
24 attorneys fees; and specified criminal penalties.

25 19) **"Remove"** shall mean to change the location of a  
26 vehicle by towing it.

27 20) **"Revoke"** shall mean to annul and make void the  
28 license of a person engaged in the business of  
29 providing towing services.

30 21) **"Store"** shall mean to place and leave a towed  
31 vehicle at a location where the person providing  
32 the towing services exercises control, supervision  
33 and responsibility over the vehicle.

34 22) **"Tow"** shall mean to haul, draw or pull along a



- 1 vehicle by means of another vehicle equipped with  
2 booms, car carriers, winches or similar equipment.
- 3 23) "Towing" shall mean the act of moving one vehicle  
4 from one point to another (including hook-up, lift,  
5 and transport) using a vehicle commonly referred to  
6 as a towtruck.
- 7 24) "Towtruck" shall mean any motor vehicle used to tow  
8 or to attempt to tow another motor vehicle for  
9 compensation.
- 10 25) "Trade Name" shall mean any name under which a  
11 person, corporation, partnership, association, firm  
12 or any other entity operates its business.
- 13 26) "Vehicle" shall mean an automobile, boat, truck,  
14 bus, trailer, semitrailer, truck tractor and  
15 semitrailer combination, recreational unit  
16 primarily designed as temporary living quarters  
17 which either has its own motive power or is mounted  
18 on or drawn by another vehicle, or any other mobile  
19 item using wheels and being operated on the roads  
20 of Palm Beach County, which is used to transport  
21 persons or property and is propelled by power  
22 other than muscular power; provided, however, that  
23 the term does not include bicycles, mopeds,  
24 traction engines, road rollers or vehicles which  
25 run only upon a track.
- 26 27) "Waiting Time" shall mean the amount of time spent  
27 at a scene when a towtruck and operator has been  
28 summoned and is on scene but unable to proceed  
29 through no fault of the towtruck operator.

30 **SECTION 2. TOWTRUCK CLASS SPECIFICATIONS.**

31 **A. Class A Truck or car carrier - Maximum Ratings**

- 32 1) Gross Vehicle Weight Ratings..... 10,000 Lbs.  
33 2) Gross Combination Weight Ratings..... 18,000 Lbs.  
34 3) Boom Capacity..... 8,000 Lbs.  
35 4) Winching Capacity..... 8,000 Lbs.



1	5)	Cable Size and Length.....	3/8"X100'
2	6)	Wheel Lift Retracted Rating.....	6,000 Lbs.
3	7)	Wheel Lift Extended Rating.....	3,000 Lbs.
4	8)	Tow Sling Safe Lift.....	3,500 Lbs.
5	9)	Safety Chains (2 each).....	3/8" High Test
6	10)	Cab to Axle Dimension.....	60"
7	<b>B. Class B. Towtruck - Maximum Ratings</b>		
8	1)	Gross Vehicle Weight Ratings.....	18,000 Lbs.
9	2)	Gross Combination Weight Ratings.....	30,000 Lbs.
10	3)	Boom Capacity.....	16,000 Lbs.
11	4)	Winching Capacity.....	16,000 Lbs.
12	5)	Cable Size and Length.....	1/2"X200'
13	6)	Wheel Lift Retracted Rating.....	10,500 Lbs.
14	7)	Wheel Lift Extended Rating.....	8,500 Lbs.
15	8)	Tow Sling Safe Lift Rating.....	8,500 Lbs.
16	9)	Safety Chains (2 each).....	5/16" Alloy
17	10)	Cab to Axle Dimension.....	60"
18	<b>C. Class C Towtruck - Maximum Ratings</b>		
19	1)	Gross Vehicle Weight Ratings.....	30,000 Lbs.
20	2)	Gross Combination Weight Ratings.....	80,000 Lbs.
21	3)	Boom Capacity.....	50,000 Lbs.
22	4)	Winching Capacity.....	50,000 Lbs.
23	5)	Cable Size and Length.....	5/8"X200'
24	6)	Wheel Lift Retracted Rating.....	25,000 Lbs.
25	7)	Wheel Lift Extended Rating.....	12,000 Lbs.
26	8)	Tow Sling Safe Lift Rating.....	12,000 Lbs.
27	9)	Safety Chains (2 each).....	1/2" Alloy
28	10)	Cab to Axle Dimension.....	144"
29	<b>D. Class D. Towtruck - Maximum Ratings</b>		
30	1)	Gross Vehicle Weight Ratings.....	58,000 Lbs.
31	2)	Gross Combination Weight Ratings.....	120,000 Lbs.
32	3)	Boom Capacity.....	70,000 Lbs.
33	4)	Winching Capacity.....	70,000 Lbs.
34	5)	Cable Size and Length.....	3/4"X250'
35	6)	Wheel Lift Retracted Rating.....	45,000 Lbs.



- 1                   7)    Wheel Lift Extended Rating..... 15,000 Lbs.  
2                   8)    Tow Sling Safe Lift Rating..... 12,000 Lbs.  
3                   9)    Safety Chains (2 each)..... 1/2    Alloy  
4                   10)   Cab to Axle Dimension..... 180"

5                   **SECTION 3. Towing License Required.**

- 6                   A.    It shall be unlawful for any person for compensation or  
7                   as part of a regularly conducted business activity to  
8                   recover, tow or remove a vehicle or provide storage in  
9                   connection therewith or to cause or permit any other  
10                  person for compensation to recover, tow or remove a  
11                  vehicle or provide storage in connection therewith or to  
12                  advertise tow/storage services without first obtaining  
13                  and maintaining a current and valid license pursuant to  
14                  the provisions of this ordinance, providing, however,  
15                  that a property owner without license may cause or permit  
16                  the removal of a vehicle from his property in accordance  
17                  with the provisions of this ordinance.   Any print  
18                  advertisement of tow/storage services shall include the  
19                  license number.
- 20                  B.    Nothing in this ordinance shall be construed to prohibit  
21                  the discharge or storage of a vehicle lawfully  
22                  recovered, towed or removed in another county and  
23                  lawfully transported into Palm Beach County; nor shall  
24                  anything in this ordinance be construed to prohibit a  
25                  vehicle owner or authorized agent from requesting the  
26                  services of a towing business not regularly doing  
27                  business in Palm Beach County, to remove the owner's  
28                  vehicle to a location outside Palm Beach County; nor  
29                  shall anything in this ordinance prohibit a duly licensed  
30                  towing company from another recognized county from towing  
31                  in another recognized county.
- 32                  C.    Nothing in this ordinance shall be construed to  
33                  prevent a person from working in an employment  
34                  relationship for another person holding a valid license  
35                  under this ordinance; provided, however, that any person



1                   who is an independent contractor and not an employee of  
2                   a licensed person is also subject to all requirements and  
3                   provisions of this ordinance.

4                   **SECTION 4. Application for Towing License; Fees.**

5                   A.    Every application for a towing license shall be in  
6                   writing, signed and verified by the applicant, and filed  
7                   with the Department together with an investigative and  
8                   processing fee established by resolution of the  
9                   Commission. The application fee shall be deposited in  
10                  a separate County fund and shall be used exclusively to  
11                  accomplish the purposes of this ordinance. The fee shall  
12                  be assessed against each applicant. The statements  
13                  contained in the application shall become a part of the  
14                  towing license and may be modified only in accordance  
15                  with the provisions of this section.

16                  B.    Every application for a towing license shall be on a form  
17                  prescribed by the Director and shall contain information,  
18                  including but not limited to:

- 19                  1)    Sufficient information to identify the applicant,  
20                       including but not limited to, full legal name, date  
21                       of birth, telephone numbers, all business and  
22                       residence addresses, and driver's license number.  
23                       If the applicant is a corporation, the foregoing  
24                       information shall be provided for each corporate  
25                       officer, director, resident agent and shareholder.  
26                       If the applicant is a partnership, the foregoing  
27                       information shall be provided for each general and  
28                       limited partner. Post office box addresses shall  
29                       not be accepted.
- 30                  2)    Documentation demonstrating that all corporate or  
31                       partnership applicants are qualified to do business  
32                       under the laws of Florida.
- 33                  3)    A list of all persons with any ownership interest  
34                       in the applicant who have previously been denied a  
35                       license from this or any other jurisdiction.



- 4) Any trade name under which the applicant operates, intends to operate, or has previously operated, and a description of proposed, existing and previous towing vehicles' colors and markings.
- 5) A description of the applicant's operational procedure, which shall include, but not be limited to, the following: location and description of all places of business; a description of the plan and facilities for maintaining towing vehicles and equipment; a description of the system for handling complaints and accidents; and a description of applicant's communication system.
- 6) A description of services proposed to be provided, including, but not limited to, days and hours of operation and types of towing and storage services to be provided.
- 7) A record of all crimes any way related to motor vehicles of which the applicant has been adjudicated guilty or of which adjudication has been withheld within the last five (5) years preceding the date of the application. In the case of a corporate or partnership applicant, all such information shall be provided by all corporate officers and directors, or partners, as the case may be.
- 8) Proof of insurance as required in Section 6 of this ordinance.
- 9) A notarized signature of each individual applicant, the signature of the president or vice-president of a corporate applicant, and the signature of all the general partners of a partnership applicant.
- 10) An agreement on the part of the applicant to abide by the provisions of this ordinance and the laws of the State of Florida.



11) Such additional information about the applicant as the Director may deem appropriate.

**SECTION 5. Issuance of License; Renewal.**

A. The Director is empowered to issue licenses to applicants which have met the standards and requirements for a towing license, and to promulgate administrative procedures for the application for and issuance of such licenses, and further, for the denial, revocation, and suspension of such licenses.

B. The Director shall review and investigate each application for a towing license and shall reject any application that is incomplete or untrue in whole or in part, or which fails in any way to meet the requirements of subsection C. of this section.

C. No towing license shall be issued to an applicant or renewed unless the applicant has:

1) Filed with the Director a true, correct and complete application on the form prescribed by the Department, including all proofs of required insurance;

2) Paid the initial or renewal application fee; and

3) Submitted to a background investigation resulting in a determination by the Director that:

(a) The applicant neither possesses a suspended license, nor has its license previously been revoked by action of the Director or any other jurisdiction within two (2) years of the date of application, or has outstanding and unsatisfied civil penalties imposed due to violations of this ordinance or a similar ordinance of another jurisdiction.

(b) The applicant has neither pled nolo contendere nor pled guilty or been convicted of: a crime relating to motor vehicles or any crime designated as a felony; any crime



1 involving the sale or possession of controlled  
2 substances as defined by the Florida Rico Act,  
3 §893.03, Florida Statutes, unless the civil  
4 rights of such individual or applicant have  
5 been restored; or in the case of conviction of  
6 a crime relating to motor vehicles, that such  
7 person has successfully completed all  
8 sentences of incarceration, probation,  
9 required rehabilitation activities, and  
10 payments of all fines and penalties imposed.

11 (c) Each corporate or partnership applicant is  
12 qualified under the laws of Florida to do  
13 business under the trade name or names under  
14 which it has applied for a license.

15 (d) No fraud or willful or knowing misrepresen-  
16 tation or false statement was made in the  
17 application.

18 (e) No judgment against the applicant arising out  
19 of the activity of recovery, towing or  
20 removing a vehicle or providing storage in  
21 connection therewith remains unsatisfied,  
22 unless a stay or reversal of the judgment is  
23 procured through the courts.

24 D. Each towing license shall be on a form printed with the  
25 requirements described herein and shall be signed by the  
26 Director. Each towing license shall contain, at a  
27 minimum, the name and address of the applicant, the dates  
28 the license remains in effect, and a statement of such  
29 additional terms and conditions, restrictions and  
30 limitations as were authorized in the application and  
31 approval process.

32 E. All towing licenses shall be renewed annually. As a part  
33 of the renewal process, the original application shall be  
34 updated and verified by the applicant. Each updated  
35 renewal application shall be submitted at least sixty



(60) days prior to expiration of the current license and shall be accompanied by a fee which shall be established by resolution of the Commission. All renewal application fees shall be deposited in a separate Palm Beach County fund and shall be used exclusively to accomplish the purposes of this ordinance. All towing licenses which are not renewed shall automatically expire upon the one (1) year anniversary of the date of issuance and all recovery, towing, removing and storage services permitted thereunder shall cease immediately. The Director shall deny each renewal application that is not timely, is incomplete, is untrue in whole or in part, is unaccompanied by the required fee, or results in a determination by the Director that the applicant has failed to satisfy the requirements of subsection C 3) of this section.

F. A license issued or renewed pursuant to the provisions of this section shall not be transferable, nor shall the ownership structure of the licensee be so modified as to constitute a change in the control or ownership of the license, without the prior written approval of the Director.

G. There shall be no numerical limit on licenses issued pursuant to the provisions of this section.

**SECTION 6. Insurance Requirements.**

A. It shall be unlawful for any person for compensation to recover, tow, or remove a vehicle or to provide vehicle storage services in connection therewith until that person has filed with the Director and maintains in effect, for each towing vehicle operated by that person, an insurance policy or policies or certificates of issuance which shall indemnify or insure such person for its liability, at a minimum, as follows:

- 1) For vehicles with a gross vehicle weight of less than 15,000 pounds: automobile liability insurance



1 covering each vehicle in an amount not less than  
2 \$50,000 per person, \$100,000 per occurrence for  
3 bodily injury, and \$25,000 per occurrence for  
4 property damage or \$100,000 combined single limit.

5 2) For vehicles with a gross vehicle weight of 15,000  
6 pounds or more, but less than 30,000 pounds:  
7 automobile liability insurance covering each  
8 vehicle in an amount not less than \$100,000 per  
9 person, \$300,000 per occurrence for bodily injury,  
10 and \$100,000 per occurrence for property damage or  
11 \$300,000 combined single limit.

12 3) For vehicles with a gross vehicle weight of 30,000  
13 pounds or more: automobile liability insurance  
14 coverage covering each vehicle in an amount not  
15 less than \$300,000 per person, \$500,000 per  
16 occurrence for bodily injury, and \$100,000 per  
17 occurrence for property damage or \$500,000 combined  
18 single limit.

19 B. All insurance policies required shall be issued by  
20 insurance companies authorized and qualified to do  
21 business in the state of Florida. No policy shall be  
22 accepted which is of less than six (6) months duration.  
23 Each policy shall be endorsed to provide for (30) thirty  
24 days notice by registered mail to Department of any  
25 material change, cancellation or expiration of the  
26 policy.

27 C. Failure to provide current certificates of insurance or  
28 policies or failure to maintain the required coverage for  
29 each vehicle shall result in an automatic suspension of  
30 the towing license, which shall remain in effect until  
31 proof of compliance with this section is submitted to the  
32 Director and approved.

33 D. Insurance requirements do not apply to governmental  
34 agencies which are self-insured.



1                    SECTION 7. Vehicle Registration; Vehicle Standards.

- 2            A.    It shall be unlawful to recover, tow or remove a vehicle  
3                    for compensation or to store it in connection therewith  
4                    unless the towtruck used to provide such service displays  
5                    in the upper left corner of the front window a current  
6                    decal issued by Department.
- 7            B.    The Director is authorized to issue to current licensees  
8                    decals for each separate towtruck upon application by the  
9                    licensee and completion of the following:
- 10                    1)    Inspection of vehicle records by personnel  
11                            authorized by Department to determine ownership, or  
12                            first-party lease held by the licensee, of the  
13                            towtruck.
- 14                    2)    Inspection by personnel authorized by Department to  
15                            assure that the towtruck clearly displays on the  
16                            exterior of the driver and passenger sides in  
17                            letters at least three (3) inches high the  
18                            licensee's name, address, telephone number and  
19                            license number.
- 20                    3)    The submission of an affidavit to the Department  
21                            assuring that the towtruck is commercially  
22                            manufactured and meets the specifications listed  
23                            herein and is in safe operating condition.
- 24                    4)    An application form completed by the licensee and  
25                            approved by the Director which correctly indicates  
26                            the year, make, model and vehicle identification  
27                            number of the towtruck.
- 28                    5)    Payment of a registration fee which has been  
29                            established by resolution of the Commission and  
30                            deposited and used in the same manner as other fees  
31                            and charges under this ordinance.
- 32            C.    It shall be unlawful for any licensee to alter or  
33                    transfer ownership of any decal. If a towtruck is  
34                    destroyed or sold, licensee must remove said decal and  
35                    surrender the remains to Department.



- 1 D. Additional towtrucks acquired during the licensing year  
2 will receive a decal at a prorated fee.
- 3 E. Decals shall be issued in numerical order, and each decal  
4 issued shall display its assigned number. Decals shall  
5 be renewable annually in the same manner as original  
6 application is made.
- 7 F. The decal for each towtruck may be affixed by personnel  
8 authorized by Department and shall at all times be  
9 displayed and available for inspection by any police  
10 officer or by personnel authorized by Department to  
11 perform enforcement duties.
- 12 G. Replacement or duplicate decals may be authorized by the  
13 Director upon the completion of an application and  
14 notarized statement of the license holder stating that  
15 such a replacement or duplicate decal is necessary and  
16 stating the reasons for such a request, along with a  
17 nominal charge.

18 SECTION 8. Manifest, Towing Invoice, or Tow Sheet.

- 19 A. It shall be unlawful for any person for compensation to  
20 recover, tow or remove a vehicle or provide storage in  
21 connection therewith unless the person providing such  
22 service shall maintain in his possession a manifest,  
23 towing invoice, or tow sheet which shall include, but not  
24 be limited to, the following information:
- 25 1) Name of the licensee and of the natural person  
26 physically providing the service;
  - 27 2) Decal number of the towtruck used to provide the  
28 service;
  - 29 3) Date and time that the service was requested;
  - 30 4) Name, address and telephone number of the person  
31 requesting the service;
  - 32 5) Date and time that the service was initiated;
  - 33 6) Location at which the service originated;
  - 34 7) Destination to which the vehicle being provided the  
35 service is taken;



1                   8)    Description of vehicle being provided the service,  
2                            including make, model, year, color, vehicle  
3                            identification number and license plate number, if  
4                            any;

5                   9)    Description of services provided; and

6                   10)   Cost(s) for the service(s) provided.

7           B.   Each manifest, towing invoice, or tow sheet shall be  
8                    available for inspection upon demand by police officers,  
9                    or by personnel authorized by Department to perform  
10                   enforcement duties, at any time during the period of  
11                   recovery, towing or removal of a vehicle.

12           **SECTION 9. Towing Safety Standards.**

13           It shall be unlawful for any person for compensation to  
14           recover, tow or remove a vehicle with a towtruck in a manner which  
15           violates the standards for use of such vehicle as set forth herein.

16           **SECTION 10. Records Required.**

17           Each licensee under this ordinance shall maintain accurate and  
18           complete records of all operating information as Department may  
19           require, including but not limited to, manifests, towing invoices,  
20           or tow sheets for services rendered, and records of payments for  
21           services rendered. Such records shall be maintained for at least  
22           three (3) years. The Department shall be granted access to these  
23           records for inspection and/or copying, during regular business  
24           hours, upon five (5) days prior notice. All records and  
25           information inspected and not copied shall be confidential, except  
26           that records may be copied and made public for the purpose of  
27           license suspension or revocation proceedings.

28           **SECTION 11. Anti-Discrimination.**

29           No licensee shall refuse or neglect to provide vehicle  
30           recovery, towing or removal services or storage services in  
31           connection therewith to any person requesting such service able and  
32           willing to pay for such services, on account of that person's race,  
33           sex, religion, national origin, age, marital status or handicap.



1                    SECTION 12. Towing Without Prior Consent of Vehicle Owner or  
2                    Duly Authorized Driver of Vehicle.

3                    A.    In addition to the other requirements of this ordinance,  
4                    no person shall, for compensation, recover, tow, or  
5                    remove a vehicle or provide storage in connection  
6                    therewith without the prior express instruction of the  
7                    vehicle owner or authorized driver, except in accordance  
8                    with the following:

9                    1)    Persons duly licensed under this ordinance may for  
10                    compensation recover, tow or remove a vehicle  
11                    without the prior express instruction of the  
12                    vehicle owner or authorized driver upon the express  
13                    instruction of a police officer and in accordance  
14                    with the terms of any contracts or agreements  
15                    between the licensee and the governmental entity in  
16                    whose jurisdiction the police officer serves.

17                    2)    Persons duly licensed under this ordinance may for  
18                    compensation recover, tow or remove a vehicle  
19                    without the prior express instruction of the  
20                    vehicle owner or authorized driver, upon the  
21                    express instruction of a property owner, or his  
22                    authorized agent, on whose property the vehicle is  
23                    disabled, abandoned or parked without authorization  
24                    or whose operator is unwilling or unable to remove  
25                    the vehicle, provided that the requirements of  
26                    Sections 13, 14, and 15 are satisfied.

27                    B.    Persons who provide services pursuant to this section  
28                    shall not pay or rebate money, or solicit or offer the  
29                    rebate of money, or other valuable consideration to  
30                    obtain the privilege of rendering such services.

31                    C.    Persons who provide services pursuant to this section  
32                    shall not do so when there is a person occupying the  
33                    vehicle.

34                    D.    Persons who provide services pursuant to this section  
35                    shall transport the vehicle directly to the storage site



1 of the person providing the service, or to such other  
2 location as a police officer authorizing the tow may  
3 expressly direct, and shall not keep the vehicle in any  
4 temporary holding area.

5 E. Persons who provide services pursuant to this section  
6 shall file and keep on record with Department a complete  
7 copy of all current rates charged for the recovery,  
8 towing or removal of vehicles and storage provided in  
9 connection therewith. Such persons shall also display  
10 prominently at each vehicle storage sight the following  
11 information: a schedule of all charges and rates for  
12 removal of vehicles at the request of property owners; a  
13 statement that these rates do not exceed those rates  
14 filed with the Department and are in accordance with the  
15 provisions of this ordinance; and the rights afforded to  
16 a customer pursuant to Florida Statutes. The above  
17 information shall be posted prominently in the area  
18 designated for the vehicle owner or his agent to transact  
19 business. Such area shall provide shelter, safety and  
20 lighting adequate for the vehicle owner to read the  
21 posted rate schedule. Further, notice shall be posted  
22 advising the vehicle owner or authorized agent of the  
23 right to request and review a complete schedule of  
24 charges and rates for towing services provided, at police  
25 request, for the jurisdiction in which the police order  
26 to tow was made, and that the firm is licensed by the  
27 Department noting the Department's telephone number,  
28 address and business hours.

29 F. Persons who provide services pursuant to this section  
30 shall advise any vehicle owner or authorized  
31 representative who calls by telephone prior to arriving  
32 at the storage site of the following:

- 33 1) each and every document or other item which  
34 must be produced to retrieve the vehicle;
- 35 2) the exact charges as of the time of the



1 telephone call, and the rate at which charges  
2 accumulate after the call;

3 3) the acceptable methods of payment; and

4 4) the hours and days the storage site is open  
5 for regular business.

6 G. Persons who provide services pursuant to this section  
7 shall permit every vehicle owner or authorized  
8 representative to inspect the towed vehicle upon his or  
9 her arrival at the storage site before payment of any  
10 charges. The vehicle owner or authorized representative  
11 shall be permitted to remove from the vehicle any and all  
12 personal possessions inside but not affixed to the  
13 vehicle, including but not limited to, radios and  
14 telephones.

15 H. Persons who provide services pursuant to this section  
16 shall accept payment for charges from the vehicle owner  
17 or authorized representative in any of at least two (2)  
18 of the following forms:

19 1) cash, money order or valid traveler's check;

20 2) valid bank credit card; or

21 3) valid personal check showing on its face the  
22 name and address of the vehicle owner or  
23 authorized representative.

24 I. Nothing in this section shall prevent the county or any  
25 jurisdiction in it from providing additional or more  
26 restrictive requirements in contracts or arrangements  
27 under which police officers direct and authorize the  
28 recovery, towing or removal of vehicles or storage  
29 provided in connection therewith.

30 **SECTION 13. Requirements for Providing Tow Services at Request**  
31 **of Property Owners.**

32 A. Persons duly licensed under this ordinance may for  
33 compensation recover, tow or remove a vehicle or provide  
34 storage in connection therewith upon the express  
35 instruction of a property owner or authorized agent, or



1 whose property the vehicle is abandoned or parked without  
2 authorization, provided that the following notice  
3 requirements are satisfied:

4 1) Notice shall be prominently posted on the property  
5 from which the vehicle is proposed to be removed  
6 and shall fulfill the following requirements:

7 (a) A sign shall be prominently placed at each  
8 driveway access or curb cut allowing vehicular  
9 access to the property, within five (5) feet  
10 from the public right-of-way line. If there  
11 are no curbs or access barriers, signs shall  
12 be posted not less than one (1) sign each  
13 twenty-five (25) feet of lot frontage. The  
14 sign structure shall be permanently installed  
15 with the words "tow-away zone" not less than  
16 three (3) feet and not more than six (6) feet  
17 above ground level and shall be continuously  
18 maintained on the property for not less than  
19 twenty-four (24) hours prior to the towing or  
20 removal of any vehicle(s).

21 (b) The notice shall clearly display:

22 1) In not less than 2-inch high, light-  
23 reflective letters on a contrasting  
24 background, the words "unauthorized  
25 vehicles will be towed away at the owner's  
26 expense." The words "tow-away zone" must  
27 be included on the sign in not less than  
28 4-inch high, light-reflective letters on  
29 a contrasting background;

30 2) The notice shall also clearly indicate,  
31 where the property owner selectively  
32 causes the towing of vehicles, in not  
33 less than 2-inch high, light-reflective  
34 letters on a contrasting background, the  
35 days of the week, and hours of the day



1 during which vehicles will be towed away  
2 at the owner's expense, depending on the  
3 day of the week and hour of the day the  
4 vehicle is parked; and

- 5 3) The name and current telephone number of  
6 the person or the firm performing the  
7 towing service, if there exists a written  
8 contract between the property owner and  
9 that person for the towing of vehicles.

10 (c) The posting of notice requirements of this  
11 section shall not be required where:

- 12 1) the property on which a vehicle is parked  
13 is property appurtenant to and obviously  
14 a part of a single-family type residence;  
15 or  
16 2) notice is personally given to the owner  
17 or operator of the vehicle that the  
18 property on which the vehicle is or will  
19 be parked is reserved or otherwise not  
20 available for unauthorized vehicles and  
21 is subject to being removed at the  
22 owner's expense.

23 B. The property owner or authorized agent shall provide  
24 express instruction to recover, tow or remove the vehicle  
25 and shall date and sign such instruction in the presence  
26 of the natural person recovering, towing or removing the  
27 vehicle. Neither the property owner nor authorized agent  
28 shall be an officer, employee or agent of the person  
29 requested to recover, tow or remove the vehicle. No such  
30 instruction shall be considered to have been given: 1) by  
31 the mere posting of the notice as required by the  
32 preceding parts of this section; 2) by virtue of the  
33 mere terms of any contract or agreement between a person  
34 providing towing services and a property owner; 3) when  
35 the instruction occurs in advance of the actual



1 unauthorized parking of the vehicle; or 4) where the  
2 instruction is general in nature and unrelated to  
3 specific, individual and identifiable vehicles which are  
4 already parked without authorization.

5 C. The person recovering, towing or removing a vehicle at  
6 the request of a property owner or authorized agent  
7 shall, within thirty (30) minutes of the completion of  
8 the vehicle recovery, tow or removal, notify the police  
9 department in which jurisdiction the vehicle was parked,  
10 of the nature of the service rendered, the storage site  
11 of the vehicle, the time the service was rendered, and  
12 the make, model, color and vehicle identification number  
13 of the vehicle and shall obtain the name of the person at  
14 the police department to whom such information was  
15 reported and note that name on the trip record.

16 D. Persons who provide services pursuant to this section  
17 shall not recover, tow or remove a vehicle or provide  
18 storage in connection therewith if the vehicle owner or  
19 other person legally authorized to control the vehicle  
20 arrives at the scene prior to recovery, towing or  
21 removal, except where:

- 22 1) The registered owner or other legally authorized  
23 person in control of the vehicle refuses or is  
24 unable to remove the vehicle; or  
25 2) a complete mechanical connection exists between the  
26 vehicle and the towing or removal apparatus and the  
27 registered owner or other person in control of the  
28 vehicle refuses to pay reasonable service fee of  
29 not more than one-half (1/2) of the posted rate for  
30 such towing services as required by this ordinance.

31 E. Persons who provide services pursuant to this section  
32 shall not store or impound a towed vehicle at a distance  
33 which exceeds a ten (10) mile radius of the location from  
34 which the vehicle was recovered, towed or removed unless  
35 no towing business providing services under this section



1 is located within a ten (10) mile radius, in which case  
2 a towed or removed vehicle must be stored at a site  
3 within twenty (20) miles of the point of removal.

4 F. Persons who provide services pursuant to this section  
5 shall maintain one or more storage sites, each of which  
6 shall be open for the purpose of retrieval of vehicles by  
7 owners or owners' authorized agents on any day that the  
8 person providing the service is open for towing purposes  
9 from at least 8:00 A.M. to 6:00 P.M., and, when closed,  
10 shall have posted prominently on the exterior of the  
11 place of business a notice indicating a telephone number  
12 where the operator of the site can be reached at all  
13 times. Upon receipt of a telephoned request to open a  
14 site to retrieve a vehicle, the operator of the site  
15 shall return to the site within one (1) hour. Persons  
16 who provide services pursuant to this section shall  
17 release the vehicle to the owner or authorized agent  
18 within one-half (1/2) hour after request is made in  
19 person.

20 G. Persons who provide services pursuant to this section  
21 shall not require a vehicle owner to sign any waiver of  
22 the owner's right to receive compensation for damages to  
23 the vehicle.

24 SECTION 14. Requirements for Licensees and Property  
25 Owners Requesting Tows From Property.

26 A. Each licensee must enter into a written contract with  
27 every owner of private property that authorizes the  
28 licensee to tow vehicles from its property. The licensee  
29 must keep on file each contract that is in effect with  
30 each property owner, or that was terminated within the  
31 previous twelve (12) months. The Director, law  
32 enforcement officers, and the owner of the vehicle towed  
33 by the licensee may inspect and copy any contract during  
34 business hours.



1 B. A property owner or authorized representative may cause  
2 a vehicle parked without authorization upon the owner's  
3 property to be recovered, towed or removed from such  
4 property by a person licensed pursuant to this ordinance,  
5 and shall not incur liability for the costs of recovery,  
6 towing or removal or storage associated therewith, under  
7 the following circumstances:

- 8 1) when the property is appurtenant to and obviously a  
9 part of a single family residence;  
10 2) when notice is personally given to the vehicle  
11 owner or other authorized person in control of the  
12 vehicle that the area in which that vehicle is  
13 parked is reserved or otherwise unavailable for  
14 unauthorized vehicles and subject to being removed  
15 at the expense of the vehicle owner or authorized  
16 person in control of the vehicle;  
17 3) when the vehicle has been parked without  
18 authorization on the property for more than forty-  
19 eight (48) hours; or  
20 4) in the case of any other unauthorized parking when  
21 notice is prominently posted on the property as  
22 provided in Section 13 of this ordinance.

23 C. When any property owner or authorized representative  
24 causes a vehicle to be recovered, towed, removed from his  
25 or her property and stored, he or she shall immediately  
26 upon request, and without demanding compensation, inform  
27 the vehicle owner or other authorized person in control  
28 of the vehicle of the name and address of the person that  
29 has recovered, towed or removed the vehicle.

30 D. No property owner or authorized representative shall  
31 request the recovery, tow, removal or storage of a  
32 vehicle pursuant to this section until he or she has  
33 first ascertained from the person providing the service  
34 the current towing license number of that person.

35 E. Nothing in this section shall permit any property owner



1 or authorized representative to request the recovery,  
2 tow, or the removal of law enforcement, fire fighting,  
3 rescue squad, ambulance, or other emergency vehicle  
4 marked as such.

5 F. Any person who improperly causes a vehicle to be  
6 recovered, towed, removed or stored shall be liable to  
7 the vehicle owner or authorized representative for the  
8 costs of the services provided, any damages resulting  
9 from the recovery, towing, removal or storage and  
10 attorney's fees and costs.

11 SECTION 15. Maximum Towing and Storage Rates for Providing  
12 Tow Services.

13 A. The Commission shall, by resolution, establish maximum  
14 rates for providing recovery, towing, removal and storage  
15 services at the request of a property owner or  
16 authorized representative, without the prior consent of  
17 the vehicle owner or other authorized person in control  
18 of the vehicle; an owner of a private lot or his or her  
19 designee; or a police officer at the scene of a vehicle  
20 accident or other incident requiring the removal, towing  
21 and storage of a vehicle. The rates established shall be  
22 uniform throughout Palm Beach County both in the  
23 incorporated and unincorporated areas, except where  
24 municipalities have established differing maximum rates  
25 for their jurisdictions. From time to time, the rates  
26 established by the Commission may be revised in  
27 accordance with a rate study.

28 B. Persons who provide services pursuant to this section  
29 shall not charge in excess of the maximum allowable rates  
30 established by the Commission. No person providing  
31 services pursuant to this section shall charge any type  
32 of fee other than the fees for which the Commission has  
33 established specific rates.

34 C. Each applicant for a license shall provide with his or  
35 her application for a license a listing of all of his or



her rates and charges pursuant to this section with the Department.

- D. Each licensee shall maintain, on a form approved by the Department, a rate sheet specifying all rates and charges, which shall be given by the towtruck driver to the requesting vehicle owner or his authorized representative prior to commencing the service.

**SECTION 16. Enforcement and Penalties.**

- A. This ordinance shall be enforced pursuant to Ordinance No. 90-45, as amended, by personnel authorized by Department and all law enforcement officers to the extent that it is within their jurisdiction to do so.

- B. All violations of this ordinance shall be Class II violations (\$75.00 fine, \$8.00 court costs).

**SECTION 17. Appeals**

- A. **Right to Appeal.** Any party aggrieved by the action of the Director may appeal such decision to the Palm Beach County Consumer Affairs Hearing Board.

- B. **Procedure.**

1) The appeal shall be filed by the appellant or his or her attorney in the Division of Consumer Affairs. The appellant or attorney shall file a written notice of appeal signed by the appellant or attorney requesting a hearing and setting forth a brief statement of the reasons thereof. Such appeal shall be filed within forty-five (45) days of receipt of the notice of denial, suspension or revocation.

2) Upon receipt of such notice of appeal, the Consumer Affairs Hearing Board shall set a time and place for such hearing and shall give the appellant or attorney and the Director reasonable notice thereof. All hearings on appeals shall be scheduled and determined as promptly as practicable and in no event more than sixty (60) days from the



1 date of the notice of appeal was filed. Written  
2 notice of the time, date, and place of the hearing  
3 of the appeal by the Consumer Affairs hearing Board  
4 shall be sent to the appellant no later than  
5 fifteen (15) days prior to the date of the hearing.

6 3) The Consumer Affairs Hearing Board shall consider  
7 the case record as well as the statement offered by  
8 any interested party and shall consider the matter  
9 de novo and shall, upon the basis of the record  
10 before it, affirm, modify or reverse the decision  
11 of the Director.

12 4) If the Consumer Affairs Hearing Board affirms the  
13 decision of the Director to deny, suspend or revoke  
14 a towing license, the suspension or revocation  
15 shall be effective from the date of the Consumer  
16 Affairs Hearing Board's order. A decision to  
17 affirm the action of the Director shall constitute  
18 final agency action for purposes of further appeal.

19 5) If the Consumer Affairs Hearing Board reverses the  
20 decision of the Director, it shall direct the  
21 Director to issue or restore the towtruck license.

22 C. **Effect of Appeal.** The appeal of the decision of the  
23 Director to suspend or revoke a towing license shall stay  
24 the effective date of the suspension or revocation.

25 D. **Circuit Court Appeal.** Any person may appeal a final  
26 determination of the Consumer Affairs Hearing Board  
27 within thirty (30) days of the rendition of the decision  
28 by filing a Writ of Certiorari in the Circuit Court of  
29 the Fifteenth Judicial Circuit in and for Palm Beach  
30 County, Florida.

31 **SECTION 18. Scope of Ordinance**

32 The provisions of this ordinance and the relevant Florida  
33 Statutes, shall be the exclusive regulations applicable to the  
34 recovery, towing and removal of vehicles in Palm Beach County and  
35 all storage provided therewith, in both the unincorporated and



1 incorporated areas, except that this ordinance shall not apply in  
2 any municipality that has adopted and maintains in effect  
3 ordinances or regulations governing the same matters.

4 **SECTION 19. Reciprocity Among Counties**

5 This ordinance is based on a Model Regional Towing Ordinance  
6 and has been or will be adopted in Broward, Dade, Monroe and Palm  
7 Beach Counties (hereinafter referred to as "Reciprocal  
8 County(ies)"). A valid license issued pursuant to this ordinance,  
9 and held by a person or operator who provides towing services  
10 pursuant to this ordinance and whose principal place of business is  
11 located in Palm Beach County, shall do the following:

- 12 1) If a vehicle owner, or authorized representative of a  
13 vehicle owner, requests an operator to pick up or deliver  
14 a vehicle in a Reciprocal County, the operator will be  
15 permitted to pick up, deliver, and/or drive through the  
16 Reciprocal County even though the operator has not been  
17 issued a license in the Reciprocal County.
- 18 2) If an operator holds a valid license in one of the  
19 Reciprocal Counties and the operator has a place of  
20 business or offers towing services in another Reciprocal  
21 County on a continuous basis, the operator shall be  
22 required to obtain a license in the county in which the  
23 operator has a place of business or is offering towing  
24 services on a continuous basis.

25 **SECTION 20. Repeal of Laws in Conflict.**

26 All local laws and ordinances applying to the unincorporated  
27 area of Palm Beach County in conflict with any provisions of this  
28 ordinance are hereby repealed.

29 **SECTION 21. Codification.**

30 The provisions of this ordinance shall become and be made a  
31 part of the Code of Laws and Ordinances of Palm Beach County,  
32 Florida. The Sections of this ordinance may be renumbered or  
33 relettered to accomplish such, and the words "ordinance,"  
34 "article," "section," "subsection," "paragraph" may be changed to  
35 any other appropriate word to accomplish codification.



1                    SECTION 22. Severability.

2                    If any section, paragraph, sentence, clause, phrase, or word  
3 of this ordinance is for any reason held by a court of competent  
4 jurisdiction to be unconstitutional, inoperative or void, such  
5 holding shall not affect the remainder of this ordinance.

6                    SECTION 23. Effective Date.

7                    The provisions of this ordinance shall be effective on October  
8 1, 1991.

9                    APPROVED and ADOPTED by the Board of County Commissioners of  
10 Palm Beach County, Florida, on the 17th day of  
11 September, 1991.

12                    PALM BEACH COUNTY, FLORIDA, BY ITS  
13 BOARD OF COUNTY COMMISSIONERS

14                    By: Kare M. Maus  
15                    Chairman

16                    JOHN B. DUNKLE, CLERK  
17 Board of County Commissioners

By: Carl Zettlmeier  
DEPUTY CLERK

16                    APPROVED AS TO FORM AND  
17 LEGAL SUFFICIENCY

18                    By: Denton M. Disler  
19                    County Attorney

20                    Acknowledgment by the Department of State of the State of  
21 Florida, on the 23RD day of September,  
22 1991.

23                    Acknowledgement from the Department of state received on the  
24 27th day of September, 1991, at 3:49 P. M.,  
25 and filed in the Office of the Clerk of the Board of County  
26 Commissioners of Palm Beach County, Florida.

27                    (towing.ord)



RESOLUTION NO. R-91-1251

A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,  
ESTABLISHING MAXIMUM RATES FOR TOWING SERVICES  
AND ESTABLISHING TOWING LICENSE AND DECAL FEES

WHEREAS, numerous persons and firms in Palm Beach County engage in the business of recovering, towing, and storing of motor vehicles; and

WHEREAS, Ordinance No. 91-35, which regulates the towing industry, provides, in Section 15, that the method of establishing maximum rates for all vehicle owner non-consent and police agency towing services, private or public, shall be by Resolution of the Board of County Commissioners; and

WHEREAS, it is in the best interest of the County, its citizens and its visitors, to regulate the maximum rates charged for towing services; and

WHEREAS, the ordinance also provides in Sections 4, 5, and 7 for the payment of license and decal fees which are also to be established by Resolution of the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. Categories and Maximum Rates for Towing Services.

A. Tow and Remove.

The category of Tow and Remove, derived from the ordinance definitions of "tow" and "remove," is hereby established and defined as follows: to draw or pull along a vehicle by means of another vehicle equipped with booms, car carriers, winches, or similar equipment such that the location of a parked vehicle is transported to the storage site of the towing company.

All tow vehicles sent out in response to a request for towing services shall be of such class that is required for such services and no more.

Set forth below are the maximum rates that can be charged for towing services.

1) Class "A" Tow Vehicle.

- |    |                |          |
|----|----------------|----------|
| a. | Per Call       | \$ 90.00 |
| b. | Per Towed Mile | 4.00     |



c. Extra time at scene\* 22.50 Per 1/4 Hour  
(first 1/2 hour to be included  
in the per call price, per 1/4 hour  
thereafter)

2) Class "B" Tow Vehicle.

a. Per Call \$150.00  
b. Per Towed Mile 5.00  
c. Extra time at scene\* 37.50 Per 1/4 Hour  
(first 1/2 hour to be included  
in the per call price, per 1/4 hour  
thereafter)

3) Class "C" Tow Vehicle.

a. Per Call \$175.00  
b. Per Towed Mile 6.00  
c. Extra time at scene\* 43.75 Per 1/4 Hour  
(first 1/2 hour to be included  
in the per call price, per 1/4 hour  
thereafter)

4) Class "D" Tow Vehicle.

a. Per Call \$200.00  
b. Per Towed Mile 6.00  
c. Extra time at scene\* 50.00 Per 1/4 Hour  
(first 1/2 hour to be included  
in the per call price, per 1/4 hour  
thereafter)

\* = not to include traveling time

B. Miscellaneous Other Charges Applicable to Class A, B, C,  
and D above.

1) Lowboy Flatbed Services.

a. Per Call \$175.00  
b. Per Transported Mile 6.00  
c. Extra time at scene\* 43.75 Per 1/4 Hour  
(first 1/2 hour to be included  
in the per call price, per 1/4 hour  
thereafter)

\* = not to include traveling time

2) Dollies.

Class A \$ 35.00 Per Job

3) Underwater Recovery Salvage Divers.

a. For First Hour \$125.00  
b. For each additional 15  
minutes or any fraction  
thereof over the first  
hour 31.25 Per 1/4 Hour



4) Lien - Title Administration Fee.

- a. After First 24 Hours \$ 30.00 Per Vehicle
- b. Documentation of effort to ascertain vehicle owner shall be provided upon request.

5) Road Service.

- a. Per Call \$ 35.00
- b. Per Traveled Mile 1.00

To include, but not be limited to:

- a) Assist Start
- b) Change Tire
- c) Unlocking Door
- d) Gas

C. Storage Rates.

The following rates shall be set for the storage of vehicles. However, pursuant to §713.78(2)(c), Florida Statutes, no storage fee shall be charged if the vehicle is stored for less than six (6) hours.

1) Inside Storage.

- a. Cars \$ 25.00 Per Day
- b. Motorcycles and Scooters 12.00 Per Day
- c. Any Vehicle/Trailer over 20 feet 40.00 Per Day

2) Outside Storage Rates.

- a. Cars \$ 20.00 Per Day
- b. Motorcycles and Scooters 10.00 Per Day
- c. Any Vehicle/Trailer over 20 feet 35.00 Per Day

D. Other Rates.

No other rates other than those listed herein will be levied against the vehicle owner for Class "A" and "B" towing and recovery. For Class "C" and "D" specialized recovery, the towing companies prevailing rates will apply. Examples of this service are hazardous material recovery, aircraft recovery, and air cushion recovery.

SECTION 2. Towing License Fee; Renewal Fee

The investigative and processing fee for a towing license, pursuant to Section 4A of Ordinance No. 91-35, shall be three hundred twenty-five (\$325.00) dollars. The renewal fee, pursuant to Section 5E of Ordinance No. 91- 35, shall be three



hundred twenty-five (\$325.00) dollars.

SECTION 3. Decal Registration Fee

The vehicle registration fee, pursuant to Section 7B 5) of Ordinance No. 91- 35, shall be one hundred seventy-five (\$175.00) dollars per vehicle.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS	-	Aye
CAROLE PHILLIPS	-	Absent
CAROL A. ROBERTS	-	Absent
CAROL J. ELMQUIST	-	Aye
MARY McCARTY	-	Aye
KEN FOSTER	-	Aye
MAUDE FORD LEE	-	Aye

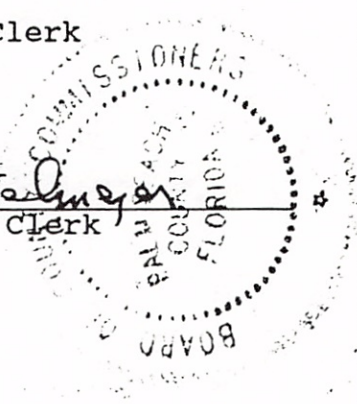
The Chairman thereupon declared the resolution duly passed and adopted this 17th day of September, 1991.

PALM BEACH COUNTY, FLORID, BY ITS  
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

John B. Dunkle, Clerk

By: Debra M. Bistel County Attorney By: Carl Zettermeyer Deputy Clerk



towtruck.res



**PROPOSED PALM BEACH COUNTY  
TOW TRUCK ORDINANCE  
DIVISION OF CONSUMER AFFAIRS  
COST ANALYSIS**

(A) **STAFF COSTS:** One (1) full-time Licensing Inspector Position  
(salary base same as Consumer Investigator position)

5 year projection factored at 5% per annum increase  
for base salary and fringe benefits

	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996
Base Salary	\$20,417				
FICA	1,266				
FICA(medicare)	297				
Retirement	3,424				
Life/Health Ins.	<u>2,337</u>				
Salary/Benefits	\$27,741	\$29,129	\$30,586	\$32,116	\$33,722

One (1) half-time Secretary position (24 hours per week).

5 year projection factored at 5% per annum increase  
for base salary and fringe benefits

	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996
Base Salary	\$10,255				
FICA	636				
FICA(medicare)	149				
Retirement	1,720				
Life/Health Ins.	<u>2,337</u>				
Salary/Benefits	\$12,760	\$13,398	\$14,068	\$14,771	\$15,510

Total	\$40,501	\$42,527	\$44,654	\$46,887	\$49,232
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(B) **OTHER COSTS:**

5 year projection factored at 5% per annum increase

	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996
Forms/Supplies	\$1,500	\$1,575	\$1,654	\$1,737	\$1,824
Decals	1,200	1,260	1,323	1,390	1,460
Computer System	3,000	-	-	-	-
Programming and Maintenance	3,000	3,150	3,308	3,474	3,648
Communications	250	263	277	291	306
Mileage	500	525	552	580	609
County Attorney and County charges	<u>6,000</u>	<u>6,300</u>	<u>6,615</u>	<u>6,946</u>	<u>7,294</u>
Sub-Total	\$15,450	\$13,073	\$13,729	\$14,418	\$15,141
Contingency Fund	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>
Total	\$17,450	\$15,073	\$15,729	\$16,418	\$17,141

(C) **TOTAL PROJECTED COSTS:**

	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996
Salaries/Benefits	\$40,501	\$42,527	\$44,654	\$46,887	\$49,232
Costs	<u>17,450</u>	<u>15,073</u>	<u>15,729</u>	<u>16,418</u>	<u>17,141</u>
Total	\$57,951	\$57,600	\$60,383	\$63,305	\$66,373

(D) **LICENSE UNIVERSE:**

Based upon survey of tow truck companies through  
Occupational License listing and Yellow Pages.

Number of Businesses: 70  
Number of Vehicles: 250

**PROJECTED LICENSE/DECAL FEES: REVENUE**

70 (business) X \$325 (license fee) = \$22,750  
250 (vehicles) X \$175 (per decal) = 43,750  
Total \$66,500



**(E) COST ANALYSIS: (REVENUE MINUS COSTS)**

	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996
Revenue	\$66,500	\$66,500	\$66,500	\$66,500	\$66,500
Costs	<u>-57,591</u>	<u>-57,600</u>	<u>-60,383</u>	<u>-63,305</u>	<u>-66,373</u>
Balance	\$ 8,909	\$ 8,900	\$ 6,117	\$ 3,195	\$ 127